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AUG 05 2013

TECHNICAL SUPPORT

CORRECTED ORDINANCE NO. 523

BLUEGRASS ANNEXATION

CLIFFORD T. HAYES 5P 2421048000
KOOTENAI COUNTY RECORDER Page 1 of 5
JAJ Date 07/25/2013 Time 01:00:10
REQ OF CITY OF HAYDEN
RECORDING FEES: \$0.00
2421048000 XK

096

AN ORDINANCE OF THE CITY OF HAYDEN, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR ANNEXATION OF APPROXIMATELY 312 ACRES OF LAND AND THE ADJACENT HUETTER RIGHT OF WAY; PROVIDING ZONING OF THE PROPERTY SO ANNEXED AS COMMERCIAL FOR THE NORTH THREE HUNDRED FEET AND THE SOUTHWEST SEVENTEEN ACRES, AND R-1 RESIDENTIAL FOR THE REMAINDER OF THE PROPERTY; PROVIDING FOR AMENDMENT TO THE OFFICIAL ZONING MAP; AND PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, the owners of the real property referenced in Section 1, have petitioned the City Council of the City of Hayden for annexation of said properties or consented to such annexation and the subsequent zoning of said properties as Commercial for the North 300 feet and the Southwest seventeen acres and R-1 Residential for the remaining property; and

WHEREAS, public hearings were held before both the Planning & Zoning Commission on October 15, 2012 and the City Council on November 27, 2012, in accordance with law, testimony taken, findings of fact and conclusions of law reached; and

WHEREAS, the City Council, determined that said annexation is provided for under existing law in that the land in question adjoins the corporate limits, that the proposed zoning is suitable and compatible with surrounding land uses and that said land uses would fit in with the general development of the City and would be in the best interest of the citizens of the City of Hayden; and

WHEREAS, in order to comply with the administrative requirements of other governmental entities and to correct an error in the legal description contained in Ordinance 523, this Corrected Ordinance 523 is being passed to substitute the legal description below for the legal description contained in the original Ordinance 523:

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAYDEN, KOOTENAI COUNTY, IDAHO, AS FOLLOWS:

SECTION 1: That the following described properties contiguous and adjacent to the city of Hayden, to wit:

A portion of Sections 20 and 21, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, more particularly described as follows:

Commencing at the southeast corner of the Southwest Quarter of Section 21, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, from which the southwest corner of the Southwest Quarter of Section 21, Township 51 North, Range 4 West, Boise Meridian, according to Record of

Survey, recorded by instrument number 2132209000, bears North 89°01'29" West, a distance of 2669.39 feet;

thence North 00°50'06" East, a distance of 35.00 feet to the north line of Prairie Avenue and the Point of Beginning;

thence North 89°01'29" West along the north right-of-way line of Prairie Avenue, as described in right-of-way deed, instrument number 1919136, records of Kootenai County, a distance of 1326.33 feet;

thence North 89°01'41" West along the north right-of-way line of Prairie Avenue, as described in right-of-way deed, instrument number 1919137, records of Kootenai County, a distance of 504.71 feet;

thence along a tangent curve to the right an arc length of 359.93 feet, said curve having a radius of 5943.00 feet, and a central angle of $0^{\circ}28'12''$;

thence along a reverse curve to the left an arc length of 366.83 feet, said curve having a radius of 6057.00 feet, and a central angle of $0^{\circ}28'12''$;

thence North 89°01'41" West along the north right-of-way line of Prairie Avenue, as described in right-of-way deed, instrument number 1919137, records of Kootenai County, a distance of 25.34 feet;

thence continuing North 89°01'41" West, a distance of 69.98 feet to a point on the west line of the Southwest Quarter of said Section 21;

thence North 86°58'01" West, a distance of 69.82 feet to the west right-of-way line of Huetter Road and the beginning of a non-tangent curve to the left having a chord bearing of North 45°43'07" East, a chord distance of 42.27 feet;

thence continuing along said curve to the left with a radius of 30.00 feet, through a central angle of $89^{\circ}34'21''$, an arc distance of 46.90 feet;

thence North 00°55'57" East along the west right-of-way line of Huetter Road, a distance of 9.96 feet;

thence South 89°04'03" East along the right-of-way line of Huetter Road, a distance of 10.00 feet;

thence North 00°56'07" East along the west right-of-way line of Huetter Road, a distance of 2545.25 feet;

thence North 00°56'15" East along the west right-of-way line of Huetter Road, a distance of 2654.16 feet to the center line of Hayden Avenue;

thence South 88°43'53" East along the center line of Hayden Avenue, a distance

of 2673.66 feet to the east line of the West Half of said Section 21;

thence South 00°50'12" West along the east line of the West Half of said Section 21, a distance of 5250.16 feet to the north right-of-way line of Prairie Avenue and the Point of Beginning;

EXCEPT for a portion of the West Half of the Northwest Quarter of the Northwest Quarter of Section 21, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho described as follows:

Commencing at the northwest corner of Section 21;

thence South 00°56'06" West along the west line of said Section 21, a distance of 995.29 feet;

**thence South 88°43'14" East, a distance of 30.00 feet to the east right-of-way line of
Huetter Road and the Point of Beginning;**

thence continuing South 88°43'14" East, a distance of 631.33 feet;

thence South 00°54'33" West, a distance of 331.82 feet;

thence continuing North 88°43'14" West, a distance of 631.48 feet;

thence North 00°56'06" East, a distance of 331.76 feet to the Point of Beginning;

be and the same is hereby annexed to and declared to be a part of the city of Hayden, Kootenai, Idaho.

SECTION 2: That the Hayden official zoning map be amended to include and designate the annexed property described in Section 1 as R-1 Residential, except for the following described property which shall be zoned Commercial:

The North 300 feet of The West half of the Section 21, Township 51 North , Range 4 West, Boise Meridian, Kootenai County, Idaho

AND

The South 660 feet of the West 1020 feet of the southwest quarter of the southwest quarter of Section 21, Township 51 North, Range 4 west, Boise Meridian, Kootenai County Idaho

Excepting therefrom the property described in the Warranty Deed to the Post Falls Highway District recorded as Instrument Number 1919137,

SYMBOL LEGEND

AREA OF ANNEXATION:
APPROXIMATELY 318.17 ACRES

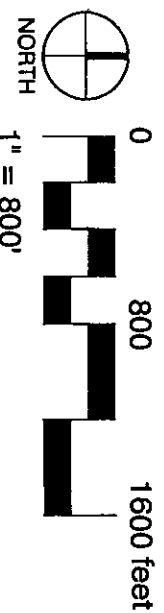
A PORTION OF SECTION 20 AND SECTION 21,
TWP. 51 N. R.4 W. BOISE MERIDIAN
DISTRICT: CITY OF HAYDEN
ORDINANCE: 523

LINE AND CURVE TABLE:

C1:	ARC LENGTH=359.93'	L4:	LENGTH=9.96'
	RADIUS=5943.00'		BEARING=N00°55'57"E
	ANGLE=03°28'12"	L5:	LENGTH=10.00'
C2:	ARC LENGTH=366.83'		BEARING=S89°04'03"E
	RADIUS=6057.00'	L6:	LENGTH=631.33'
	ANGLE=03°28'12"		BEARING=S88°43'14"E
L1:	LENGTH=25.34'	L7:	LENGTH=331.82'
	BEARING=N89°01'41"W		BEARING=S00°54'33"W
L2:	LENGTH=69.98'	L8:	LENGTH=631.48'
	BEARING=N89°01'41"W		BEARING=N88°43'14"W
L3:	LENGTH=69.82'	L9:	LENGTH=331.76'
	BEARING=N86°58'01"W		BEARING=N00°56'06"E
C3:	ARC LENGTH=46.90'		
	RADIUS=30.00'		
	ANGLE=89°34'21"		

WEST HAYDEN ANNEXATION

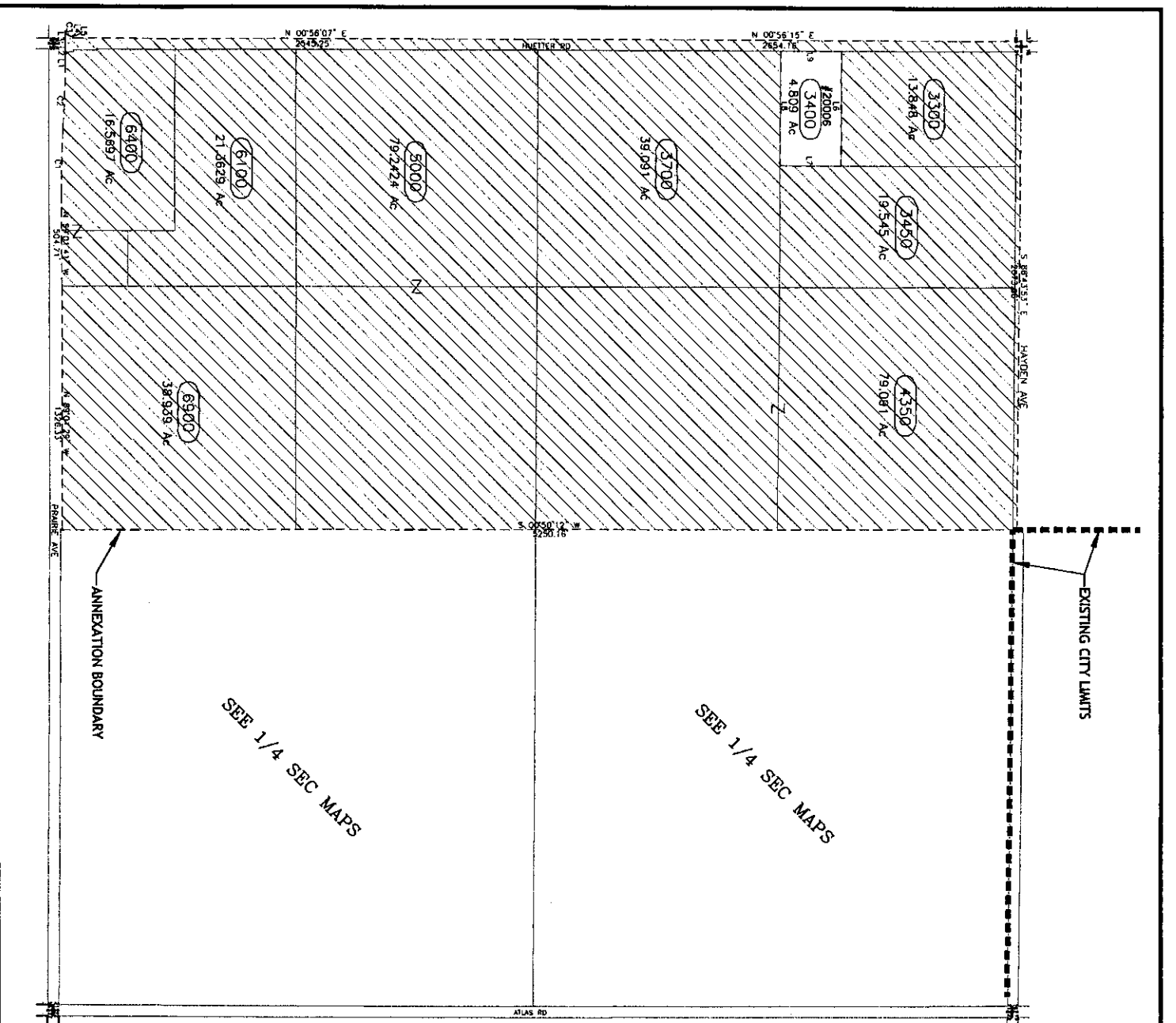
JULY 1, 2013



PREPARED BY:

verdis
landscape architecture : planning

500 e. garden ave.
corral valley, ID 83414
ph: (208) 567-1214
www.verdinw.com



records of Kootenai County, Idaho, and any prescriptive rights-of-way or easements that may exist for both Huetter Road and Prairie Road

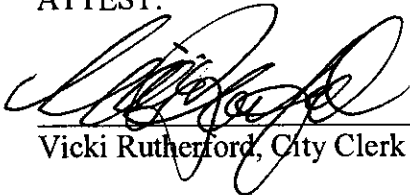
SECTION 3: That this Ordinance shall be in full force and effect upon its passage, approval and publication according to law.

Enacted by the city council as an ordinance of the city of Hayden on the 23rd day of July, 2013.

APPROVED by the Mayor this 25th day of July, 2013.


Ronald B. McIntire, Mayor

ATTEST:


Vicki Ruthenford, City Clerk





8930 N Government Way Hayden, Idaho 83835

State of Idaho)
 :SS
County of Kootenai)

I, Vicki Rutherford, do hereby certify that I am the duly appointed City Clerk and official record keeper for the City of Hayden, County of Kootenai, State of Idaho, and that the foregoing is a true and correct copy of Corrected Ordinance 523, a summary of which was published on July 30th, 2013, in the Coeur d'Alene Press, a newspaper of general circulation, and as it appears on record in the office of the City Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City on this 1st day of August, 2013.

(SEAL)



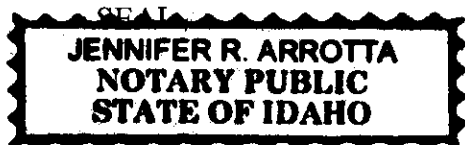
Signature: _____

City Clerk

Dated: _____

August 1, 2013

SUBSCRIBED AND SWORN TO before me a notary in and for said state this 1st day of August, 2013.



Notary for the state of Idaho

Residing at: Hayden, ID

My Commission Expires: 2/22/2017

Dated: _____

8-01-2013